

Notice of Allowability

Application No.

10/724,859

Examiner

Bret C. Hayes

Applicant(s)

BRZOZOWSKI, FRANK T.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 26 APOR 05.
2. ☒ The allowed claim(s) is/are 59-61,63-66,68-74 and 77.
3. ☒ The drawings filed on 02 December 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 08 NOV 04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Frank Brzozowski on 19 AUG 05.

The application has been amended as follows: claims 1 – 58 have been canceled; claims 59 and 71, lines 18 and 19, "a gap from" has been removed; claim 60, lines 2 – 5 have been removed; claim 61, lines 2 – 5 have been removed, and, lines 8 and 9 have been replaced with --the first slot and the second slot being inclined to hinder--; claim 62 has been canceled; claim 65, lines 2 and 3 have been removed, line 4, has been replaced with --wherein the--, line 5, "that" has been removed, line 6 has been replaced with --the bent--, and line 7 has --are bent vertically-- inserted after "shank", and "a" has been replaced with --the--; claim 66, lines 2 – 7 have been replaced with --the pair of symmetrical outer hook barbs are equidistant from the center hook barb.--; claim 67 has been canceled; claim 68, lines 2 – 7 have been replaced with --the center hook barb is longer than the symmetrical outer hook barbs.--; claim 69, lines 2 – 9 have been replaced with --the symmetrical outer hook barbs are angularly symmetrical about the longitudinal axis of the bent eye and shank--.; claim 70, lines 2 – 8 have been replaced with --the elongated leader is preferably one third meter long and constructed from monofilament fishing line or wire.--; claim 73, lines 2 – 10 have been replaced with --the central longitudinal groove is external.--; claim 74, line 2 – 13 have been replaced with --the first slot and the second slot are

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inclined so as to hinder the leader from working its way out of the c-weight.--; claim 75 has been canceled; claim 76 has been canceled; claim 77, lines 2 – 5 have been replaced with --the hollow c-weight hull is:--, line 6 “many substances” has been replaced with --any substance--, line 11 has been removed, and, line 12 “made of various volumes and of many non-lead substances” has been replaced with --made of any non-lead substance--.

For Applicant’s edification, the claims have been amended to remedy the errors of repetitiously reciting limitations unnecessarily. Further, claims 62 and 75 have been canceled because it is improper to claim that the bores have slots in the independent claim and subsequently claim that the bores have no slots. Further still, claim 67 has been canceled because it is not clear what the difference between barbs being “disposed” (from claim 59) or “located” would be. Even further still, claim 76 has been canceled because it is unclear how the c-weight functions as a weight and as a chumming device – given that a hull hole plug prevents material from entering and leaving, small through holes to allow passage of objects, substances or material renders the device incapable of operating as intended.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bret C. Hayes whose telephone number is (571) 272 6902. The examiner can normally be reached on M-F 5:30 am to 2:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Teri P. Luu can be reached on (571) 272 7045. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bh

19-Aug-05

A handwritten signature in black ink, appearing to read 'Teri Pham Luu', with a horizontal line extending to the right.

TERI PHAM LUU
SUPERVISORY
PRIMARY EXAMINER